

IN THE CLAIMS:

Claims 1, 3, 5, 6, 8, 10 - 16, 18 and 20 have been amended, as shown in the following listing of claims:

1. (currently amended) A water sinker toy comprised of:

a head made from a material having sufficient weight to enable the water sinker toy to sink in water;

a tail portion having a plurality of tapered elements made from floatable material to provide the water sinker toy with buoyancy;

the head having an opening ~~formed therein to create~~ extending therethrough and including a space to allow the opening to be an adjustable ring in size; and

the plurality of tapered elements being removably secured in the head and being formed as ~~tentacles~~ elongated members that will move when in water to simulate tentacles of a squid-like toy.

2. (original) The water sinker toy of claim 1 wherein the head and the opening are approximately oval in shape with the head having a shaped outer end, away from the tail portion.

3. (currently amended) The water sinker toy of claim 2 wherein the head has ~~an~~ larger inner end that is larger than the shaped outer end with the plurality of elongated members removably secured to the larger inner end.

4. (original) The water sinker toy of claim 3 wherein the plurality of elongated members are removably secured in apertures formed in the larger inner end.

5. (currently amended) The water sinker toy of claim 4 wherein the shaped outer end of the head includes a the space that formed therein ~~can be opened for adjustment of the size of the adjustable ring~~.

6. (currently amended) The water sinker toy of claim 5 wherein the head is made from ~~a material selected from the group of~~ hard rubber, light metal or plastic and the

elongated members are made from ~~a material selected from the group of~~ silicone or rubber, ~~or an equivalent plastic.~~

7. (original) The water sinker toy of claim 6 wherein there are between 6 to 52 elongated members.

8. (currently amended) The water sinker toy of claim 7 wherein the elongated members are ~~both~~ varied in shape with some of the elongated members being substantially circular in shape and others being oval shaped; and the elongated members being between about 4 1/4" and 4 5/8" in length; and ~~the elongated members tapering~~ from approximately 1/4" in diameter where they are connected in the larger inner end of the head, to rounded outer tips of about 1/8" in diameter.

9. (original) The water sinker toy of claim 6 wherein there are between 12 to 25 elongated members.

10. (currently amended) The water sinker toy of claim 9 wherein the elongated members are varied in shape with some of the elongated members being substantially circular in shape and others being oval shaped; and the elongated members being between about 4 1/4" and 4 5/8" in length; and ~~the elongated members tapering~~ from approximately 1/4" in diameter where they are connected in the larger inner end of the head, to rounded outer tips of about 1/8" in diameter.

11. (currently amended) The water sinker toy of claim 1 wherein the outer end of the head includes a the space therein ~~can be opened for adjustment of the size of the adjustable ring.~~

12. (currently amended) The water sinker toy of claim 11 wherein the head and the opening are approximately oval in shape with the head having an outer end, away from the tail portion, that has a substantially half oval, ballistic-shaped, and wherein the head has an larger inner end that is larger than the outer end, with the

plurality of elongated members removably secured in apertures formed in the larger inner end.

13. (currently amended) The water sinker toy of claim 12 wherein the head is made from a material selected from the group of hard rubber, light metal or plastic and the elongated members are made from a material selected from the group of silicone, or rubber, or an equivalent plastic; and wherein there are between 12 to 52 elongated members, which elongated members are tapered.

14. (currently amended) The water sinker toy of claim 13 wherein the elongated members are substantially oval shaped, about 4 5/8" in length and taper from approximately 1/4" in diameter where they are connected in the flat larger inner end of the head, to rounded outer tips of about 1/8" in diameter.

15. (currently amended) A water sinker toy comprised of:

a substantially oval head having an outer end with a substantially half oval, ballistic-shape and an flattened, larger inner end that is larger than the outer end; the substantially oval head being made from a material having sufficient weight to enable the water sinker toy to sink in water;

a tail portion having a plurality of elements in the shape of tentacles, made from floatable material to provide the water sinker toy with buoyancy;

the substantially oval head having a substantially oval opening formed therein to create a ring and the outer end having a space that can be opened for adjustment of the size of the ring opening; and

the plurality of elements being removably secured in apertures formed in the flattened, larger inner end of the head so that will move when in water to simulate tentacles of a squid-like toy.

16. (currently amended) The water sinker toy of claim 15 wherein the substantially oval head is made from a material selected from the group of hard rubber, light metal or plastic and the elongated members are made from a material selected from

~~the group of silicone, or rubber, or an equivalent plastic.~~

17. (original) The water sinker toy of claim 16 wherein there are between 12 to 52 elongated members.

18. (currently amended) The water sinker toy of claim 17 wherein the elongated members are substantially oval in shape and about 4 5/8" in length; the elongated members tapering from approximately 1/4" in diameter where they are connected in the flattened, larger inner end of the head, to rounded outer tips of about 1/8" in diameter.

19. (original) The water sinker toy of claim 16 wherein there are between 16 to 25 elongated members.

20. (currently amended) The water sinker toy of claim 19 wherein the elongated members are substantially oval in shape and about 4 5/8" in length; the elongated members tapering from approximately 1/4" in diameter where they are connected in the flattened, larger inner end of the head, to rounded outer tips of about 1/8" in diameter.